

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:15-CV-073-RLV-DCK**

**DOGS-BY-ANDY K9 SERVICES, LLC,**

**Plaintiff,**

**v.**

**THE SHERWIN-WILLIAMS COMPANY,**

**Defendant.**

**ORDER**

**THIS MATTER IS BEFORE THE COURT** on the “Motion To Substitute And Include Documents In Plaintiff’s Exhibits” (Document No. 35) filed on October 5, 2016. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, and the record, the undersigned will deny the motion.

It is unclear exactly the relief Plaintiff seeks; specifically, the location of the exhibit Plaintiff seeks to substitute is not clear. Moreover, it does not appear that Plaintiff’s counsel conferred with Defendant’s counsel as required by Local Rule 7.1(B).

**IT IS, THEREFORE, ORDERED** that the “Motion To Substitute And Include Documents In Plaintiff’s Exhibits” (Document No. 35) is **DENIED WITHOUT PREJUDICE**.

**SO ORDERED.**

Signed: October 5, 2016

  
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David C. Keesler  
United States Magistrate Judge

